


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

SEP 19 2017

JULIA CLOUDLEY, CLERK  
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ANTHONY J. CLAYTOR,  
Petitioner,

Civil Action No. 7:17-cv-00314

MEMORANDUM OPINION

v.


WARDEN,  
Respondent.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

Anthony J. Claytor, a federal inmate proceeding pro se, filed a document the court construed as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By an Order entered July 11, 2017, the court informed Petitioner that he is required to sign the petition under penalty of perjury and either pay the \$5.00 filing fee or file a complete application to proceed in forma pauperis. The court granted him ten days to resolve the missing signature and outstanding filing fee and advised him that his failure to comply would result in dismissal of the petition.

Petitioner has not communicated with the court about this case since the Order was entered on July 11, 2017. As the time allowed to comply has expired, this action is dismissed without prejudice due to Petitioner's failure to comply with the court's order. See Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); see also Donnelly v. Johns-Manville Sales Corp., 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing a district court may sua sponte dismiss an action pursuant to Fed. R. Civ. P. 41(b)).

ENTER: This 10<sup>th</sup> day of September, 2017.

  
Senior United States District Judge